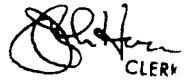


FILED

AUG 01 2013


Clerk

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

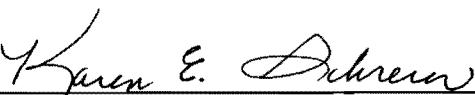
PCL CONSTRUCTION SERVICES,) CIV. 11-4035-KES
INC., a Colorado corporation,)
Plaintiff,) ORDER OF DISMISSAL
vs.)
B&H CONTRACTORS OF SOUTH)
DAKOTA, INC., a South Dakota)
corporation,)
Defendant and)
Third-Party Plaintiff,)
vs.)
GEORGE FISCHER, INC.;)
GEORGE FISCHER SLOANE, INC.;)
CENTRAL STATES INDUSTRIAL)
SUPPLY, INC.; and)
CPI SALES, INC., collectively d/b/a)
Central States Group,)
Third-Party Defendants.)

B&H CONTRACTORS OF SOUTH) Civ. 10-4076
DAKOTA, INC., a South Dakota)
corporation,)
Plaintiff,)
vs.)
GEORGE FISCHER, INC.;)
GEORGE FISCHER SLOANE, INC.;)
CENTRAL STATES INDUSTRIAL)
SUPPLY, INC.; and)
CPI SALES, INC., collectively d/b/a)
Central States Group,)
Defendants.)

The court has been advised the parties resolved their dispute at a mediation held on July 15, 2013. Therefore, it is ORDERED that this action is hereby dismissed with prejudice and without costs, each party to pay their own costs. Any party, on good cause shown on or before September 15, 2013, may move to vacate this Order of Dismissal and reopen this action if settlement is not consummated. The Court also retains ancillary jurisdiction to enforce all settlement agreements entered into by the parties and their representatives. *See Harris v. Arkansas State Highway and Transp. Dep't.*, 437 F.3d 749 (8th Cir. 2006).

Dated August 1, 2013.

BY THE COURT:


Karen E. Schreier
KAREN E. SCHREIER
UNITED STATES DISTRICT JUDGE